



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

Northern California Drinking Water Field Operations Branch
Monterey District



EDMUND G. BROWN JR.
Governor

November 6, 2013

Ms. Lois Henry, Board President
Lompico County Water District
11255 Lompico Road
Felton, CA 95018

Attention Ms. Henry:

CITATION NO. 02-05-13C-012-4410015-24
BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION FOR SEPTEMBER 2013
LOMPICO COUNTY WATER DISTRICT - SYSTEM NO. 4410015

Enclosed is a Citation issued to the Lompico County Water District water system for failure to comply with the bacteriological monitoring and reporting requirements specified in Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, of the California Code of Regulations. Specifically, the water system failed to collect and report the required number of bacteriological samples during the month of September 2013.

The Citation consists of four sections: Violation, Background, Directives, and Further Enforcement Actions. The Violation and Background sections describe the events leading up to the issuance of the Citation. The Directives section specifies required actions that must be implemented by the water system to return to compliance. The Further Enforcement Actions section describes penalties to be assessed for failure to comply with the Citation. No civil penalty is levied with the attached Citation.

Your water system will be billed at the Department's hourly rate for the time spent on issuing this Citation since this is an enforcement action for noncompliance with state regulations. The water system will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Jonathan Weininger of my staff at (831) 655-6932 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

CERTIFIED MAIL NO. 7008-1830-0004-5435-4767

cc (w/enclosures): Santa Cruz County Environmental Health Department

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Date of Issuance: November 6, 2013

RE: Lompico County Water District
Water System No. 4410015

TO: Ms. Lois Henry, Board President
Lompico County Water District
11255 Lompico Road
Felton, CA 95018

CITATION FOR NONCOMPLIANCE
BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION
SEPTEMBER 2013

Chapter 4, Article 9, Section 116650 of the California Health and Safety Code (H&S Code) authorizes the issuance of a Citation for failure to comply with this Chapter (California Safe Drinking Water Act) or any regulation, standard, permit, or order issued or adopted thereunder.



1 **Violation**

2
3 The California Department of Public Health, Drinking Water Field Operations
4 Branch, (hereinafter "Department") hereby issues a Citation to the Lompico
5 County Water District (hereinafter "Lompico CWD") water system for the following
6 violation:

7
8 Violation of bacteriological monitoring and reporting requirements for
9 compliance with the Total Coliform Rule (TCR) pursuant to Sections
10 64423(a) and 64423.1(c), Chapter 15, Title 22, of the California Code of
11 Regulations (CCR).

12
13 Section 64423(a) specifies that each water supplier shall collect routine
14 bacteriological samples based on the classification of the water system,
15 the source of the water, the known population served, or the total number
16 of service connections.

17
18 Section 64423.1(c) specifies that analytical results for all required
19 samples collected for a system in a calendar month shall be reported to
20 the Department not later than the tenth day of the following month.

21
22 The Lompico CWD water system failed to collect the required number of
23 routine bacteriological water samples and report the analytical results to
24 the Department pursuant to Sections 64423(a) and 64423.1(c), Chapter
25 15, Title 22, CCR, for September 2013. This constitutes a violation of
26 bacteriological monitoring and reporting requirements for compliance with
27



1 the TCR for the Lompico CWD water system during the month of
2 September 2013.

3
4 **Background**

5
6 The Lompico CWD is classified as a community water system that serves an
7 estimated population of 1,750 persons through 500 service connections. The
8 Lompico CWD water system is required to collect five bacteriological samples
9 from the distribution system each month for compliance with the TCR. The
10 Lompico CWD water system is also required to conduct quarterly bacteriological
11 monitoring from each of the system's raw groundwater water sources, Lewis Well
12 01, Lewis Well 05, Well 7A, and one sample per week from the system's surface
13 water source, Lompico CWD Creek. Well 06, a source on "Standby" status must
14 be monitored for coliform prior to activation into the distribution system.

15
16 During the month of September 2013, the Lompico CWD water system collected
17 and reported only one bacteriological sample result from the distribution system
18 for compliance with the TCR. Failure to collect and report five bacteriological
19 samples from the distribution system during September 2013, resulted in violation
20 of bacteriological monitoring and reporting requirements for the Lompico CWD
21 water system for the month of September 2013.

22
23 Department records show that the Lompico CWD water system has not monitored
24 and reported weekly sample results from the Lompico CWD Creek surface water
25 source for the months of August and September 2013. The Department has
26 received only two out of four required weekly sampling for both months. However,
27 the Lompico CWD notified the Department by phone on September 3, 2013 that



1 the flow in Lompico Creek was too low to allow the surface water intake to
2 function, and use of the Creek as a raw water source would be discontinued until
3 flow in the creek increased significantly as a result of rainfall. The creek source
4 continues to be offline at this time.

5
6 **Directives**

7
8 The Lompico CWD water system is hereby directed to take the following actions:

9
10 1. Immediately cease and desist from failing to comply with Sections 64423(a)
11 and 64423.1(c), Chapter 15, Title 22, CCR.

12
13 2. Conduct public notification of the bacteriological water quality monitoring
14 and reporting violation in conformance with Section 64463.7, Chapter 15,
15 Title 22, CCR. The notification shall be completed in accordance with the
16 following:

17
18 • Mail or direct delivery of the Public Notification to each customer served
19 by the water system by **December 13, 2013**.

20
21 • By one of the following secondary methods to reach persons not likely
22 to be reached by mail or direct delivery;

23
24 ➤ By publication in a local newspaper, by internet posting of the notice,
25 by posting the public notice in conspicuous public places within the
26 water system or delivery to community organizations. Notice by
27 secondary method shall be conducted within thirty (30) days of



1 receipt of this Citation. If the water system opts to issue the notice
2 via internet website, the public notice shall remain posted for a
3 minimum of seven (7) days. The Lompico CWD water system must
4 determine which option will be used to conduct the secondary
5 distribution of the notice and notify the Department of their decision
6 no later than **November 29, 2013**.

7

8 3. Submit the Public Notification required by Directive No. 2 of this Citation to
9 the Department for approval prior to distribution. A sample notice is
10 enclosed (Attachment A) that may be used to fulfill the notification
11 requirement. **The Lompico CWD water system must edit the wording**
12 **of the sample notification as necessary.**

13

14 4. Proof of Notification must be provided to the Department by submitting a
15 copy of the notice distributed to the customers with the completed Proof of
16 Notification form (Attachment B), to the Department **within ten (10) days**
17 **following issuance of the Public Notification.**

18

19 5. The Lompico CWD water system shall comply with all routine and repeat
20 monitoring requirements for coliform bacteria as specified in CCR, Section
21 64421 through 64426.5. The Lompico CWD shall collect five (5) routine
22 distribution samples for bacteriological analysis testing on a monthly basis
23 towards compliance with the TCR. Analytical results of all required
24 samples shall be reported to the Department no later than the tenth day of
25 the following month.

26

27 6. The Lompico CWD water system shall monitor all groundwater water
sources once per quarter for total coliform and *E. coli*. Analytical results of



1 all required samples shall be reported to the Department no later than the
2 tenth day of the following month.

3
4 7. The Lompico CWD water system shall monitor the surface water source,
5 Lompico CWD Creek, once per week for total coliform and *E. coli* when the
6 creek source is being used to supply raw water to the Mill Creek Plant.
7 Analysis shall be by an enumeration method and results of all required
8 samples shall be reported to the Department no later than the tenth day of
9 the following month.

10 8. When the Mill Creek Plant is offline for more than two weeks, a weekly raw
11 water coliform sample is not required from the surface water source,
12 Lompico CWD Creek. The raw surface water source must be sampled for
13 total coliform and *E. coli* prior to bringing the Mill Creek Plant back online.
14 Analysis shall be by an enumeration method and results shall be reported
15 to the Department prior to bringing the plant online.

16
17 All responses to the directives contained in this Citation shall be submitted to:

18
19 Jan R. Sweigert, P.E.
20 District Engineer, Monterey District
21 California Department of Public Health
22 Drinking Water Field Operations Branch
23 1 Lower Ragsdale, Building 1, Suite 120
24 Monterey, CA 93940

25
26 **Further Enforcement Actions**

27 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the
California Health and Safety Code authorizes the Department to: issue additional



1 citations with assessment of penalties if a public water system continues to fail to
2 correct a violation identified in a citation; take action to suspend or revoke a permit
3 that has been issued to a public water system if the system has violated
4 applicable law or regulations or has failed to comply with orders of the
5 Department; and petition the superior court to take various enforcement measures
6 against a public water system that has failed to comply with orders of the
7 Department. By issuance of this Citation, the Department does not waive any
8 right to take additional or alternative enforcement action against the System
9 including, but not limited to, assessment of penalties as authorized by law.

10
11 Failure to comply with any provision or directive of this Citation may result in the
12 Department imposing penalties.

13
14 11/6/2013

15 Date

13
14 Jan R. Sweigert

15 Jan R. Sweigert, P.E.

16 District Engineer, Monterey District

17 DRINKING WATER FIELD OPERATION BRANCH



22 Enclosures: Attachment A: Public Notification Sample
23 Attachment B: Proof of Notification Form

24 **CERTIFIED MAIL NO. 7008-1830-0004-5435-4767**
25
26
27



Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.7(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report¹. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing

¹ CCR may be used as long as public notification timing and delivery requirements are met [64463.7(d)].

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs ^(a)	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system - you may need to list the areas you serve.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64451(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

**Bacteriological Monitoring & Reporting
Requirements Not Met for
Lompico County Water District
Water System No. 4410015**

Our water system failed to monitor as required for drinking water standards during September 2013 and, therefore, was in violation of the state drinking water regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the month of September 2013, the Lompico CWD water system failed to collect four out of five distribution samples for coliform bacteria analysis testing and therefore, cannot be sure of the quality of our drinking water within these sampling areas during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
Coliform	Five samples from the distribution system every month	1	Five distribution samples during September 2013	Five distribution samples were collected during October 2013 & are scheduled monthly thereafter

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

The correct number of samples for bacteriological analysis testing of the drinking water was not completed during the month of September 2013. Five samples for bacteriological analysis testing from the distribution system were collected during October 2013 and are scheduled to be collected monthly thereafter.

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by the Lompico County Water District water system

State Water System ID#: 4410015

Date distributed: _____

System Representative Name & Title: _____

Water System Representative Signature: _____